

THE
PROCEEDINGS to Sentence of Death

Algernon Sidney Esq;

Who was Convicted of HIGH-TREASON.

(On the 21 of November 1683.) at the Kings Bench-Bar, for Conspiring the Death of the King, to Subvert the Government, &c. Being an Account of what Remarkably passed on that Occasion.

A *Algernon Sidney Esq;* having on the seventh of this Instant, *November*, been arraigned at the Bar of the Court of *Kings Bench*, upon an Indictment of High-Treason found by the Grand Jurors, and thereto pleaded not Guilty; he on the 21 Instant was brought again to the said Bar in Order to his Trial, where having made exceptions against some of the Jury, then Summoned to Try the Issue between the King and him, for not being Free-holders in the County, and against others, upon divers other objections, a Jury of Twelve were Sworn, after he had Peremptorily Challenged 34, whereupon the Indictment was Read, and the Treason therein mention'd opened by the Kings Council, tending to the destruction of the King, the Subversion of the Government, and the Establishing a Common-Wealth, by utterly Abolishing and Exterminating Monarchy; after which Mr *Wick*, Colonel *Ramsay*, and Mr. *Ker* being Sworn proved the Plot in general, and the Lord *Havard* in particular, as to the Execution, proving him to have been at divers Conferences, consenting to a Rising, and sending *Arise Smith* into *Scotland*, proposing a form of Government after Monarchy should be Suppressed, &c. Then Sir *Philip Lloyd* proved a Treasonable Libell found in the Prisoners House, tending to the destruction of the King, and Setting the Power in the People, with many other Treasonable Tenents and Assertions, which he denying, further proof was made by Mr. *Shannon*, Mr. *Cook*, and Mr. *Cory*, Men that had had dealings with Mr. *Sidney*, that it was (as they verily believed) his Hand Writing, upon proof of these Treasons at large, notwithstanding the Exceptions he made against the Lord *Havard*s Evidence, and some discourses in Relation to the Pamphlet or Libell: He upon the Evidences being Summed up as well on the one side as the other, and the charge given, was found Guilty of High-Treason, and remanded to the Tower.

When the same week Mr. Attorney General on the part of the King, moved
the Court for Judgment against him, whereupon Charles was ordered to the Le-
tendant of the Tower to bring him to the Barr on the 26 Instant, which being
accordingly done, and Silence being the Clerk of the Crown bid him hold up
his Hand, demanding (that first he had been Arraigned Tried and Convicted of
High-Treason) what he would say for Judgment of Death should not be a-
warded against him, as in this case the Law requires, whereupon he Answered
that some of the Jury were not Free-holders, as in such Cases (he said) they
ought to be, to which the Court answered, that it had been made out
not only in the Case of the Lord Russell, but in the Trial, and that it was the
opinion of all the Judges in England, that in Cases of this kind it was not
necessary, whereupon he desired he might have Council to argue it, but was
answered, that he had had the Courts opinion therein already, and that it could
not by Law be granted, after which he desired his Indictment might be again
Read in Latine, and time to consider of it, seeing he might not have a Copy
thereof, of which was granted the Eighth, whereof was to this effect, that
Algernon Sidney, meaning the Prisoner at the Barr stood indicted of High-
Treason, for Conspiring the Death of the King, to Leavy War and Rebellion
the Antient Government of the Kingdome, to subvert a miserable Slaughter
amongst his Majesties Subjects, to make and procure, and for that end he had
Conspired with divers false Traytors promising to be Aiding and Assisting them
in carrying on their wicked Designs: That he had sent one *Arch Smith* into
Scotland, to stir up the Evil minded People in that Kingdome to Insurre-
ction and Rebellion, and had written, or caused to be written a false Scandalous Se-
ditionous and Treasonable Libel, tending to the deposing of the King the over-
throw of Monarchy, taking the power in the People, Establishing a Common-
Wealth, &c. After the Indictment was Read, he torged some mistake in the
Construction of a Word, and that he might have time to consider it, as to the
former, he was answered, that the Treason in all particulars was plain, and as
for the latter the time was past, and that it only remained with the Court
seeing he had been fairly Convicted as past Sentence, then he desired to be heard
further, saying he had points of Law to offer, but none appearing, an O Yes
was made for Silence, yet was he further heard, at what time he said, as to the
Libel, it might have been writ Thirty years ago, and that he could not con-
fess it affected him, seeing it was private and never Published, to that he was
answered, that to write was to do, and nothing could more exasperate the minds
and Inclination of men thereto, and that it was an imagining and designing
the Death of the King, and to subvert the Government, and therefore expressly
Treason, &c. this he urged him self in writing, which he offered at his Ar-
raignment was not retrieved: To which the Court Replied, that he might have
put it in if he had thought fit to have wexed his Life upon it, and that it was
the Courts Duty to Inform him what would infer thereon. If Mr. Attorney
General not finding it a good Plea, should have returned to it, and that it was not
to be imputed to the Court, that it was not his, it being left to his Choice
to do as he thought fit, after which and other other objections made by the
Prisoner, and they Amply answered by the Court, he was bid to hasten to
his Sentence, which was: That he *Algernon Sidney* the Prisoner at the Barr,
should go to the place from whence he came, and from thence be drawn to the
place of Execution, upon a Scaffold, there to be hanged by the Neck, and being
cut down Alive, his bowels and Pury should be taken out, and burnt before his Face,
his Head to be severed from his Body, his Body divided into four quarters
and they to be disposed of at the pleasure of the King. Sentence being
passed he was Remanded to the Tower, and accordingly conveyed thither in a Coach
attended on by a strong Guard of Soldiers.

The Evidence being returned up as well on the one side as the
other, and the charge being found guilty of High-Treason.